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FM AMEMBASSY BRATISLAVA
TO RUEHC/SECSTATE WASHDC 2049
INFO RUEHUP/AMEMBASSY BUDAPEST 0976
RUEHPG/AMEMBASSY PRAGUE 4166
RUEHVI/AMEMBASSY VIENNA 3694

C O N F I D E N T I A L BRATISLAVA 000500

SIPDIS

DEPT FOR CA/VO/L/A

E.O. 12958: DECL: 10/31/2018
TAGS: [KCRM](#) [CVIS](#) [LO](#)
SUBJECT: FINDING OF 3A2 INELIGIBILITY FOR SUSPECTED SLOVAK
CRIME FIGURE

Classified By: DCM Keith Eddins for reasons 1.4(b) and (d.)

11. (U) This is an action item, see para 6.

12. (C) Post sometimes encounters visa applicants who are believed to be members of organized crime syndicates. Currently, Post has one open case involving such a figure and wishes to ensure that the provisions of 9 FAM 40.31 N5.3 -- Application of INA 212(a)(3)(A)(ii) for Aliens Engaging in Organized Crime -- apply. However, Post has received classified and other information regarding the applicant that cannot be included in the Non-Immigrant Visa system, and thus, requests response sent over the classified cable system.

13. (C) Michal Lazar (DOB 9 Feb 1957) is a well-connected Slovak who owns roughly two dozen businesses in Slovakia, Hungary and Austria, many of which are tied to the railway industry. Following the collapse of the communist government in 1989, Lazar became the CEO of the Slovak National Railroad. It is believed that during this time, he funneled state money into contracts that favored businesses in which he had a personal investment. During the years that Lazar was an employee of the state, his personal wealth increased greatly. An eventual investigation of the state rail company yielded no charges against Lazar. Further, Lazar has no official criminal record in Slovakia. However, sensitive reporting available to Post has revealed that Lazar has admitted to "cleaning" his police record through the use of bribes.

14. (C) In a recent meeting with the Slovak Organized Crime Unit from the Slovak National Police Headquarters, CONOFFS gained the clear impression that Lazar is associated with organized criminal societies in Slovakia. When directly questioned about Lazar, police officials appeared physically uncomfortable, avoided eye contact, and stated that they are not investigating or monitoring him at this time. They then noted that Lazar has strong personal connections to the ruling Fico government.

15. (C) Currently, Mr. Lazar has only a P2A1 hit -- placed on him by post -- for possible crimes of moral turpitude. Based on the classified information obtained by Post, coupled with the indication that the police appear to believe in his criminal activities (but are at present politically unable to pursue him), Post believes that Lazar can be refused per 9 FAM 40.31 N5.3 under INA 212(a)(3)(ii.) Post expects to encounter more cases involving suspected organized crime figures in the future.

16. (C) Slovakia is scheduled to begin participation in the Visa Waiver Program (VWP) November 17, 2008. Therefore, Post would like to make a final determination in the Lazar case before this happens, and requests Department's opinion regarding our interpretation of 9 FAM 40.31 N5.3 as soon as

possible.
OBSITNIK